

REMARKS

Claims 1-52 are pending in the present application. In the above amendments, claims 8, 9, 24, 41 and 52 have been amended and claims 4 and 5 have been cancelled without prejudice. No new matter has been added.

In the Office Action mailed April 16, 2004, the Examiner rejected claims 8-9 and 24-27 under 35 U.S.C. § 112, claims 1, 10-13, 33-35, 38-40, 42-47, and 52 under 35 U.S.C. § 102, and claims 2 and 51 under 35 U.S.C. § 103. The Examiner also objected to claims 4-5 and 41-47.

Applicants respectfully respond to this Office Action.

Claim Objections

Claims 4-5 and 41-47 were objected to because of informalities. Claims 4-5 have been cancelled since they repeat the limitations of claim 1. Claim 41 has been rewritten to include the limitation of claim 38. Claims 42-47 depend from claim 41 and therefore include all the limitations of that independent claim. For all these reasons, the objections to claims 4-5 and 41-47 should be withdrawn.

Claim Rejections under 35 U.S.C. § 112

The Examiner rejected claims 8, 9, and 24-27 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claims 8, 9, and 24 have been rewritten such that they provide sufficient antecedent basis for "combining." Claims 25-27 depend from claim 24 and therefore include all the limitations of that claim. For all these reasons, the rejections to claims 8, 9, and 24-27 should be withdrawn.


Claim Rejections under 35 U.S.C. § 102

The Examiner rejected claims 1, 10-13, 33-35, 38-40, 42-47 and 52 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,283,531 to Serizawa et al.

The present invention relates to a number of signal processing paths that can be provided to process one or more signals. One signal processing path includes an equalizer that attempts to reduce the Inter-Symbol Interference (ISI) due to multipath and channel distortion. Another signal processing path can be implemented with one or more conventional rake receivers. Although the signal processing path that includes the equalizer typically provides better performance under certain operating conditions, the signal processing path having a better signal quality estimate can be selected to process the received signal(s).

The rejection contends that Serizawa discloses second processing of a multipath. With respect, the Examiner's argument is traversed. Demodulator 130 in Serizawa does not incorporate an equalizer. Therefore, it is not capable of compensating the communication path distortion due to the presence of multipath. On the other hand, as recited in claims 1, 33, 38, and amended claims 41 and 52, rake receiver 330, which corresponds to the "second processing" may be configured to process one or more multipaths of each received signal to provide recovered symbols for that received signal (See Applicants' Specification, p.10, ll. 5-6). Unlike in the present invention, Serizawa specifically states that the second processing or demodulator does not incorporate an equalizer for compensating the multipath.

Consequently, the Serizawa Patent does not anticipate the structure defined in claims 1, 33, 38, and amended claims 41 and 52 of the present application under 35 U.S.C. § 102(b) for at least the foregoing reasons. Claims 10-13, 34-35, 39-40, and 43-47 are claims dependent from claims 1, 33, 38, 41, and 52 and therefore include all the limitations of those independent claims. Since the Serizawa Patent does not render claims 1, 10-13, 33-35, 38-40, 42-47 and 52, as amended, unpatentable Applicants respectfully submit that the rejections thereof be withdrawn by the Examiner.

Claim Rejections under 35 U.S.C. § 103

Next, the Examiner rejected claims 2 and 51 under 35 U.S.C. § 103(a) as being unpatentable over Serizawa in view of U.S. Patent No. 6,175,588 to Visotsky et al. To establish a prima facie case of obviousness three basic criteria must be met. First, there must be some suggestion or motivation of, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference(s) must teach or suggest all the claim limitations.

Visotsky also does not disclose second processing of a multipath, as mentioned in claims 1 and 38. Claims 2 and 51 are claims dependent from claims 1 and 38 and therefore include all the limitations of those independent claims. Applicants thus respectfully submit that claims 2 and 51 are not rendered obvious by the Visotsky Patent when considered alone or in combination with Serizawa.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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